

**UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO**  
**EASTERN DIVISION**

**IN RE NATIONAL PRESCRIPTION OPIATE  
LITIGATION**

This document relates to:  
Case No. 1:18-op-45817-DAP

COBB COUNTY,

Plaintiff,

vs.

PURDUE PHARMACY, L.P., et al.,

Defendants.

**MDL No. 2804**

**Case No. 17-md-2804**

**Judge Dan Aaron Polster**

**Agreed Motion Modifying Track 8 Deadlines as to Publix Super Markets, Inc.**

Plaintiff Cobb County, Georgia (“Plaintiff”) and Defendant Publix Super Markets, Inc. (the “Publix”) jointly request that the Court make the below modifications to the Track 8 Case Management Order as to the Publix. These modifications will allow Plaintiff and Publix (collectively, the “parties”) to pause discovery in the near-term so they can focus on settlement efforts. The parties contemplate that any deposition that has already been scheduled will be deferred, to be reset with the agreement of those parties remaining in the case after settlement discussions. The parties agree that this extension is for the purpose of completing pending discovery for any parties remaining in the case after settlement discussions, and not for serving

additional discovery. Publix understands that Plaintiff has reached a separate agreement with all other defendants, which includes Revised CMO Deadlines consistent with those set forth below.

<b>Deadline</b>	<b>Revised CMO Deadlines</b>
Close of Third Party Discovery	3/3/2023
Plaintiff Expert Reports	3/17/2023
Plaintiff Expert Depositions Completed	3/27/2023 to 4/14/2023
Defendant Expert Reports	5/15/2023
Defendant Expert Depositions Completed	5/26/2023 to 6/12/2023
Daubert and Dispositive Motions	7/14/2023
Opp. Briefs Due	8/11/2023
Reply Briefs Due	8/28/2023

Dated: December 14, 2022

Respectfully submitted,

/s/ Kara M. Kapke

Meredith Thornburgh White (IN 28094-49)

Kara M. Kapke (IN 25906-49)

BARNES & THORNBURG LLP

11 South Meridian Street

Indianapolis, Indiana 46204

Telephone: (317) 236-1313

Facsimile: (317) 231-7433

mwhite@btlaw.com

kkapke@btlaw.com

*Attorneys for Defendant Publix Super Markets, Inc.*

/s/ Jayne Conroy

Jayne Conroy

SIMMONS HANLY CONROY

112 Madison Ave., 7<sup>th</sup> Floor

New York, NY 10016-7416

(212) 257-8482

[jconroy@simmonsfirm.com](mailto:jconroy@simmonsfirm.com)

*Counsel for Plaintiff*

**SO ORDERED**

Judge Dan Aaron Polster

Dated: December \_\_, 2022